Office of the
Under Secretary of Defense,
(Acquisition, Technology and Logistics)

Working with the Department of Labor “101”

What to do if DoL investigates your contract…

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Overview

- Contracting Officer Viewpoint
- Department of Labor (DoL) Viewpoint

Contracting Officer Viewpoint

- "DoL just showed up at my desk and they're investigating my service contract- what do I do now?"
  or
  "I just got this letter from DoL…."

- First - FAR 22.1024 requires ("shall") cooperation.

- Contact your labor advisor at your first opportunity www.wdol.gov library or DPAP website: http://www.acq.osd.mil/dpap/cpic/cp/service_labor_advisors.html

- Remember, we're all part of the same government…

Contracting Officer Viewpoint

- May need to provide parts/pieces of contract file, information on contractor, etc
  - Provide what is releasable, given security concerns
  - Be prepared! At a minimum, DoL will need
    - Contracting agency, CO name, title and address + contact information
    - Contract #, date of award, start of performance, type of work (construction, service, etc.)
    - Funding agency (if different) and funding statute
      (ARRA funds?)
    - Davis-Bacon- name of surety and Point of Contact (POC)

Contracting Officer Viewpoint

- May need to withhold payments (ref 22.1022)
  - DoL provides direction
- May need to transfer funds to DoL (ref 22.1022) depending on outcome
- Contact your regional labor advisor for help and further advice
  - Labor advisor can help with translation of contracting terms/acronyms/etc into DoL terms
    - For instance, in FAR terms a task order is a "contract"- not always so in DoL terms
    - "Stipulations"= contract clauses.
    - "Signature page"= contract cover sheet/SF1445/etc

Department of Labor Viewpoint

- "I need information to work this investigation- and the contracting officer has it. How do I get it?" or "How can I find out which contracting officer to send a withholding letter to?"
- Contact the cognizant labor advisor for help- the advisor can facilitate and translate
- Base access- investigator credentials may not be enough, so preliminary contact is a MUST.

Department of Labor Viewpoint (Cont)

- Contracting officers are a high-demand, low-density asset- time is limited
  - Personnel turnover is an issue, especially now- CO may lack history on contract and may have to do extensive research to determine what or how a particular issue arose
  - Advance scheduling and notice is a MUST- copying a contract file is no simple task
- Some documents may be sensitive- be prepared to show a need, and security clearance if applicable
- Wage law information commonly found in Sections I and J of contract

Agency Labor Advisor Contact Information

- http://www.acq.osd.mil/dpap/cpic/

cp/service_labor_advisors.html

- www.wdol.gov